IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3729 OF 2006

Bapu Sukhdeo Kale Applicant
versus
The State of Maharashtra Respondent

Shri R.V.Bansode for applicant.
Smt.M.M.Deshmukh, APP for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 16th October 2006

PC :

1. The applicant is arrested in CR No.92 of 2006 alleging offences punishable under sections 395 and 420 of IPC..

2. The complainant Ranjit, according to the applicant, is himself arrested in CR Nos.103/2006, 98/2006 and 84/2006. Recoveries of certain articles including Motorcycle has been effected at the instance of the complainant. As far as present applicant is concerned, along with co-accused after the investigations were complete and charge sheet was filed, his application has been rejected and that of the co-accused has been

granted.

3. The statement of the complainant has been perused by me so also the order of Trial Court. The applicant has been denied bail on the ground that there is a recovery of a sum of Rs.10,000/- at his instance.

4. From the order of the Trial Court it is clear that as far as incident in question is concerned, there is a version of the applicant on record. There was an agreement executed on 26th July 2005 for sale of land. The balance amount was to be paid. A sum of Rs.55,000/- was already paid under the agreement. In the above circumstances and when the investigations are complete so also considering the antecedents of the complainant, this is a fit case for enlarging the applicant on bail. Hence, following order.

5. ORDER :-

(i) The applicant shall be enlarged on bail in connection with C.R.No.92 of 2006 registered with Baramati Police Station subject to furnishing a personal bond of Rs.25,000/- (Rs.Twenty five thousand only) with one or two local sureties in the like sum;

(ii) The applicant shall report to Baramati Police Station on every Monday and Friday between 09.00 a.m. to 11.00 a.m. till conclusion of

trial;

(iii) The applicant shall not leave jurisdiction of Baramati Police Station without prior permission of the Trial Court;

(iv) The applicant shall forthwith furnish his residential address where he proposes to reside after bail and during pendency of trial to the I.O. and shall not change his residence without prior intimation to the I.O;

(v) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence;

(vi) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail;

(vii) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial;

(viii) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)